IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.8444 of 2005

Sanjay R Gaikwad .... Petitioner

vs

The State of Mah & ors...Respodents

Mr V.Z.Kankari for petitioner

Mr. A.H.Palekar AGP for State

CORAM: S.U.KAMDAR J.

Dated 13.l2.2005

P.C:

. The present petition is challenging the order dated 8.l0.2005 rejecting the revision application of the petitioner. The revision application arises out of an order passed cancelling the licence of the petitioner for a fair price shop and for institution of prosecution under the Essential Commodities Act. The findings given by the appeal court is that there are complaints against the petitioner for his indulging in blackmarketing in food grains and when the date was fixed for carrying out inspection of the record, he in place

of giving inspection, has ran away from the shop premises . The premises were sealed under a panchanama dated l8.ll.2004 and thereafter by a fresh panchnama dated 26.l0.2004 the police had opened the said shop premises . Even during the inspection after desealing the premises, not a single record pertaining to the fair price shop was found. It is the statutory requirement of a ration shop holder to maintain uptodate record for running a ration shop,which is lacking in the present case. In that light of various complaints received from the ration card holders the licence of the petitioner has been cancelled. Cancellation of the licence was on the ground that the petitioner indulged in blackmarketing activity which is not permissible for a person running the ration shop and who is not maintaining record. In that view of the matter order passed by the authorities below does not require interference.

. Petition is accordingly dismissed with no order as to costs.